

1 House Concurrent Resolution

2 A concurrent resolution acknowledging the grave
3 injustices perpetrated against Charles Greenlee,
4 Walter Irvin, Samuel Shepherd, and Ernest Thomas, who
5 came to be known as the "Groveland Four;" offering a
6 formal and heartfelt apology to these victims of
7 racial hatred and to their families; and urging the
8 Governor and Cabinet to perform an expedited clemency
9 review, including full pardons, of the cases of
10 Charles Greenlee, Walter Irvin, Samuel Shephard, and
11 Ernest Thomas.

12
13 WHEREAS, on July 16, 1949, a 17-year-old white woman and
14 her estranged husband reported to police that she had been
15 abducted at approximately 2:30 a.m., driven about 25 minutes to
16 a dead-end road, and raped by 4 black men after the car in which
17 she and her estranged husband were riding broke down on a rural
18 road outside Groveland in Lake County, and

19 WHEREAS, Charles Greenlee, Walter Irvin, and Samuel
20 Shepherd, were charged with rape, while Ernest Thomas was
21 presumed guilty of the crime, and

22 WHEREAS, Charles Greenlee, who was 16 years old in July
23 1949, was being detained 20 miles away by two retail store
24 night-watchmen at about the same time as the attack was alleged
25 to have occurred, and

26 WHEREAS, the husband stated on 2 separate occasions that
27 Charles Greenlee was not one of the young men present when the
28 car broke down on July 16, 1949, and

29 WHEREAS, Charles Greenlee denied that he and Ernest Thomas
30 ever met Samuel Shephard, Walter Irvin, the alleged victim, or
31 her estranged husband, and

32 WHEREAS, Walter Irvin and Samuel Shepherd, both World War
33 II veterans, acknowledged that they had stopped by the broken-
34 down vehicle to see if they could assist the couple, but denied
35 any involvement in the alleged rape, and

36 WHEREAS, after their arrest that evening, Charles Greenlee,
37 Walter Irvin, and Samuel Shepherd were severely beaten in the
38 basement of the county jail; Mr. Greenlee and Mr. Shepherd were
39 coerced into confessing to the crime; and Mr. Irvin steadfastly
40 maintained his innocence despite repeated beatings, and

41 WHEREAS, Ernest Thomas, understanding the racial realities
42 of the time and the danger he was in, escaped Lake County before
43 law enforcement could locate him, and

44 WHEREAS, after being hunted for more than 30 hours through
45 at least 25 miles of swampland in Madison County, Florida, by an
46 armed, deputized posse of 1,000 men with bloodhounds, Ernest
47 Thomas was killed in a hail of gunfire as he slept beside a
48 tree, before he could answer questions or declare his innocence,
49 and

50 WHEREAS, the three surviving men, Charles Greenlee, Walter

51 Irvin, and Samuel Shepherd, were tried and convicted in the
52 case, with Mr. Greenlee sentenced to life imprisonment due to
53 his young age and Mr. Irvin and Mr. Shepherd sentenced to death,
54 and

55 WHEREAS, the judge who presided at the men's trial denied
56 the men's attorneys access to an exculpatory medical report of
57 the alleged rape victim and barred testimony regarding the three
58 men being repeatedly and brutally beaten by law enforcement
59 officers, and

60 WHEREAS, Thurgood Marshall, then Executive Director of the
61 NAACP Legal Defense and Educational Fund, appealed the
62 convictions of Walter Irvin and Samuel Shepherd to the United
63 States Supreme Court, which unanimously overturned the judgments
64 on April 9, 1951, and ordered a retrial, and

65 WHEREAS, 7 months later, on November 6, 1951, as Walter
66 Irvin and Samuel Shepherd were being transported from Florida
67 State Prison in Raiford to Tavares Road Prison for a pretrial
68 hearing, Lake County Sheriff Willis McCall shot both men on a
69 dirt road leading into Umatilla, claiming the handcuffed men
70 were trying to escape, and

71 WHEREAS, Samuel Shepherd died at the scene as a result of
72 his wounds, immeasurably compounding the suffering of his
73 hardworking, close-knit family whose home had been burned to the
74 ground by a mob in the days immediately following reports of the
75 alleged rape, and

76 WHEREAS, during an interview with an investigator sent by
77 then Governor Fuller Warren, Walter Irvin stated that, after he
78 had been shot twice by the Sheriff, Deputy Sheriff James L.
79 Yates shot him through the neck as he lay on the ground
80 handcuffed to the deceased Samuel Shephard, and

81 WHEREAS, the FBI discovered a .38-caliber bullet directly
82 beneath a blood spot marking where Walter Irvin lay, providing
83 forensic corroboration of Walter Irvin's statement that he was
84 shot while lying on the ground, and

85 WHEREAS, Walter Irvin, who pretended to be dead, survived
86 despite a delay in treatment caused by the hospital's refusal to
87 transport him in an ambulance due to his race, and

88 WHEREAS, Walter Irvin was retried and convicted a second
89 time for the alleged rape and was sentenced to death, despite
90 the fact that a former Federal Bureau of Investigation
91 criminologist stated that he believed forensic evidence had been
92 manufactured by law enforcement, and

93 WHEREAS, Walter Irvin's sentence was commuted to life in
94 prison in 1955 by then Governor LeRoy Collins after the
95 prosecuting attorney, who twice convicted Mr. Irvin, stated in a
96 letter that not only was a life sentence more appropriate, but
97 that Mr. Irvin maintained his innocence even after being shot
98 when he believed himself to be dying; and

99 WHEREAS, Walter Irvin was found dead in his car while
100 visiting Lake County for a funeral in 1969, 1 year after being

101 | paroled by then Governor Claude Kirk, and

102 | WHEREAS, Charles Greenlee, who was paroled in 1960 at the
103 | age of 27, died in April 2012 at the age of 78, and

104 | WHEREAS, the people of this state recognize that no action
105 | on the part of the Legislature can make right the egregious
106 | wrongs perpetrated against Charles Greenlee, Walter Irvin,
107 | Samuel Shepherd, and Ernest Thomas and their families by the
108 | criminal justice system, law enforcement agencies, and
109 | individuals whose actions were fueled by racial hatred, and

110 | WHEREAS, the families of Charles Greenlee, Walter Irvin,
111 | Samuel Shepherd, and Ernest Thomas have demanded that steps be
112 | taken to clear the men's names, NOW, THEREFORE,

113 |
114 | Be It Resolved by the House of Representatives of the State of
115 | Florida, the Senate Concurring:

116 |
117 | That we hereby acknowledge that Charles Greenlee, Walter
118 | Irvin, Samuel Shepherd, and Ernest Thomas, the Groveland Four,
119 | were the victims of gross injustices and that their abhorrent
120 | treatment by the criminal justice system is a shameful chapter
121 | in this state's history.

122 | BE IT FURTHER RESOLVED that we hereby extend a heartfelt
123 | apology to the families of Charles Greenlee, Walter Irvin,
124 | Samuel Shepherd, and Ernest Thomas for the enduring sorrow
125 | caused by the criminal justice system's failure to protect their

126 | basic constitutional rights.

127 | BE IT FURTHER RESOLVED that the Legislature urges the
128 | Governor and Cabinet to expedite review of the cases of Charles
129 | Greenlee, Walter Irvin, Samuel Shephard, and Ernest Thomas as
130 | part of their constitutional authority to grant clemency,
131 | including granting full pardons.

132 | BE IT FURTHER RESOLVED that a copy of this resolution be
133 | provided to the Governor, the Attorney General, the Chief
134 | Financial Officer, the Commissioner of Agriculture, and the
135 | families of the Groveland Four as a tangible token of the
136 | sentiments expressed herein.

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